

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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ELIYAHU ARANIAS,

Case No.: 1:22-cv-4510 -PK

Plaintiff,

-against-

**SMG AUTOMOTIVE HOLDINGS LLC d/b/a
BROOKLYN CHRYSLER JEEP DODGE RAM,
ZACHARY SCHWEBEL,
CHRYSLER CAPITAL LLC,
TAFAWA LEE,
TIFFANY LEV,
BRYANT QUINTANA,
JIMMY CALLE,
TEMPLE HYMAN,
MELISSA SWIGGER,
BLANCA GARCIA, and
RICHARD CAPPETTA,**

Defendants.

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STIPULATION REGARDING DISCOVERY

In order to minimize discovery disputes this Discovery Stipulation is entered into by Plaintiff Eliyahu Aranias and Defendants SMG Automotive Holdings LLC d/b/a/ Brooklyn Chrysler Jeep Dodge Ram (“SMG”), a car dealership, the owner and manager of SMG, Zachary Schwebel, and a putative auto finance company, Chrysler Capital LLC (the “Answering Defendants”).¹

1. The deadline for the Answering Defendants to respond to Plaintiff’s First Set of Discovery Demands is March 1, 2023. Plaintiff consents to extend the deadline to

¹ In the Original Complaint, Plaintiff designated as “John Does” current and former employees of SMG involved in the transaction at issue in this case. Plaintiff identified the transaction as the theft of his identity the resulted in the unauthorized sales and financing of a vehicle in his name. After obtaining in discovery the identity of the John Does, on February 22, 2023 Plaintiff filed a First-Amended Complaint [DE 33] the eight current or former employees in the place of the John Doe designation (collectively the “Employee Defendants”). Counsel for the Answering Defendants will be representing all of the Employee Defendants except Tiffany Lev, the person SMG has identified as the sales person for the transaction at issue. Counsel for the Answering Defendants has executed waivers of service for seven of the Employees Defendants, Tafawa Lee, Bryant Quintana, Jimmy Calle, Temple Hyman, Melissa Swigger, Blanca Garcia, and Richard Cappetta, whose deadline to answer or move against the complaint is April 25, 2023. The summons and complaint has been sent to a process server to serve on Tiffany Lev.

respond to April 7, 2023. The Answering Defendants will serve full and complete answers to discovery and document production by that date.

2. Plaintiff will take the depositions of the Answering Defendants, and perhaps some or all of the Employee Defendants the weeks of April 24, May 8 or May 15 the specific dates to be set by agreement or notice, or on other dates to be agreed to in writing. The parties do not waive the right of Defendant Zachary Schwebel to file a motion for protective order as ¶ 2 of this stipulation.
3. If the Parties have concerns about discovery answers, counsel must make themselves available to confer on the phone or via zoom within 3 business days of a request to confer.
4. Defendants will serve discovery demands on or before April 7, 2023.

AGREED

THE LAW OFFICE OF AHMAD KESHAVARZ

/s/ Ahmad Keshavarz

March 13, 2023

By: _____

Dated: _____

Ahmad Keshavarz, Esquire
Emma Caterine, Esquire
Attorneys for Plaintiff

LABONTE LAW GROUP, PLLC

/s/ Scott H. Mandel

March 13, 2023

By: _____

Dated: _____

Scott H. Mandel, Esq.
Attorneys for Defendants
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SO ORDERED:

Peggy Kuo

PEGGY KUO

United States Magistrate Judge

March 14, 2023

Date